

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No. 3:11-cr-75-1
)	
RHONDELL GROGAN,)	
)	
<i>Defendant.</i>)	

MEMORANDUM OPINION AND ORDER

Before the Court is Rhondell Grogan’s motion to reduce his sentence under Amendment 782 to the United States Sentencing Guidelines. Among other charges, Grogan pleaded guilty to dealing twenty-eight grams of crack, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B). Because Grogan had prior felony drug convictions, his crack conviction carried a statutory mandatory minimum sentence of ten years in prison. The Court gave Grogan ten years on April 23, 2012. He now asks the Court to reduce his sentence under Amendment 782.

The Court cannot reduce Grogan’s sentence. A defendant may have his sentence reduced only if he has been sentenced to a prison term based on a sentencing range that was later lowered. *United States v. Riley*, 726 F.3d 756, 758 (6th Cir. 2013). “Because the Sentencing Commission’s amendments to the crack cocaine guidelines have no effect on statutory minimum sentences mandated by Congress,” however, Grogan’s “sentence was not ‘based on a sentencing range that has subsequently been lowered by the Sentencing Commission.’” *United States v. Coats*, 530 F. App’x 553, 555 (6th Cir. 2013) (quoting 18 U.S.C. § 3582(c)(2)). Accordingly, Grogan’s motion is **DENIED**.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE